

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION**

HAROLD KELLY MURPHY,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 2:06-cv-618-MEF
)	
SOUTHERN ENERGY HOMES, INC.,)	
et al.,)	
)	
Defendants.)	

MOTION FOR SUMMARY JUDGMENT

COMES NOW the Defendant, Southern Energy Homes, Inc. (“Southern”), by and through counsel of record, and pursuant to Rule 56 of the *Federal Rules of Civil Procedure* moves for a final summary judgment in its favor. In support of this Motion, Southern states as follows:

1. There are no genuine issues as to any material facts and Southern is entitled to a judgment in its favor as a matter of law.
2. In support of its motion, Southern is submitting herewith and incorporates by reference herein its Memorandum of Law in Support of its Motion for Summary Judgment and the exhibits attached thereto.

WHEREFORE, PREMISES CONSIDERED, Southern respectfully requests a summary judgment in its favor.

Respectfully submitted,

RITCHEY & SIMPSON, PLLC

/s/ W. Scott Simpson
W. Scott Simpson ASB-3319-S65W
Counsel for Southern Energy Homes, Inc.

OF COUNSEL:

RITCHEY & SIMPSON, PLLC

3288 Morgan Drive, Suite 100

Birmingham, AL 35216-3084

Phone: 205.876.1600

Facsimile 205.876.1616

Thomas W. Thagard, III

Maynard, Cooper & Gale, P.C.

AmSouth/Harbert Plaza

1901 6th Ave. North, Ste. 2400

Birmingham, AL 35203-2618

Phone: 205.254.1000

Facsimile: 205.254.1999

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 8th day of February, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of the foregoing upon the following:

C. Lance Gould, Esquire
BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.
Post Office Box 4160
Montgomery, AL 36103

Jon D. Pels, Esquire
Lawrence J. Anderson, Esquire
Pels, Anderson & Lee, LLC
4833 Rugby Avenue, 4th Floor
Bethesda, MD 20814

/s/ W. Scott Simpson
OF COUNSEL